

1 UNITED STATES DISTRICT COURT
2
3 DISTRICT OF NEVADA

4 * * *

5 RICHARD L. MITCHELL,

6 Case No.: 2:18-cv-00646-RFB-EJY

7 Plaintiff,

8 v.

9 **ORDER**

10 LAS VEGAS METROPOLITAN POLICE
11 DEPARTMENT, et al.,

12 Defendants.

13 Pending before the Court is Defendant Miguel Garcia's Motion for Leave to Conduct a
14 Deposition of Plaintiff Richard L. Mitchell. ECF No. 68 filed on March 10, 2022. On March 28,
15 2022, Plaintiff filed a document titled Petitioner Richard L. Mitchell's Response to Defendant
16 Miguel Garcia's Motion for Leave to Conduct a Deposition of Plaintiff Richard L. Mitchell. ECF
17 No. 77. In Plaintiff's Response he does not oppose Defendant's Motion to take his deposition.
18 Instead, Plaintiff argues the need to depose Officers Garcia and Stephens, albeit Stephens has not
19 been served. *Id.* at 1.

20 Under Local Rule 7-2(d), the failure of a party to oppose a motion filed by the opposing party
21 may be treated by the Court as consent to such motion. Here, Plaintiff fails to oppose the Motion
22 seeking his deposition and, for this reason, the Motion is granted below. With respect to Plaintiff's
23 request to depose others, I order Defendants to respond on the date stated below.

24 Accordingly, IT IS HEREBY ORDERED that Defendant Miguel Garcia's Motion for Leave
25 to Conduct a Deposition of Plaintiff Richard L. Mitchell (ECF No. 68) is GRANTED.

26 IT IS FURTHER ORDERED that Defendants shall file a response to Plaintiff's request to
27 take deposition no later than **April 11, 2022**.

28 DATED this 29th day of March, 2022.

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30 
31 ELAYNA J. YOUCHAH
32 UNITED STATES MAGISTRATE JUDGE